REMARKS

In response to the Notice of Non-Compliant Appeal Brief, Appellants submit the included replacement section for the "Summary of Claimed Subject Matter" Section of the Appeal Brief filed on November 30, 2005. Appellants submit that this replacement section is in compliance with 37 CFR 41.37(c)(1)(v).

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Respectfully submitted,

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SUMMARY OF CLAIMED SUBJECT MATTER

The invention is directed to a system for configuring handheld devices 136. The system includes a website engine 104, a database engine 108, a build-to-order configuration engine 112, and a loading station 116. Specification, paragraph [0009]. The website engine 104 receives user input. Specification, paragraph [00029]. The database engine 108 manages code and data responsive to the configuration engine 112. Specification, paragraph [0003]. The configuration engine 112 communicates with developers, coordinates software licensing, arranges software downloads and prevents conflicts. Specification, paragraphs [00018], [00019], [00022], [00026], and [00027]. The loading station 116 performs the actual downloads for loading the handheld device 136. Specification, paragraph [0003]. The downloads are based on user input received through the website engine 104, which conveys this user input to the database engine 108 and build-to-order configuration engine 112. Specification, paragraph [0003].

The invention is also directed to a method for loading software onto handheld devices 136. The method includes several steps. The first step involves querying the build-to-order configuration engine 112 to ensure sufficient memory is available to accommodate the software, that the desired software has no conflicts with any other software desired by the user and that the handheld device operating system can accommodate the software. Specification, paragraph [00017]. The second step involves querying the handheld device 136 to ensure sufficient memory is available; if not, this is reported back to the user. Specification, paragraph [00018]. The third step involves prompting the user to order additional memory, such as a memory card. Specification, paragraph [00019]. The final step involves locating the software program on the additional memory, if possible. Specification, paragraph [00019].